

Exhibit 23

South Dakota

Proposals

MDL 3047 – 2024-12-09 Agency Discovery JLB
South Dakota – Meta Proposal

Search Terms: Meta made its most recent counterproposal on December 3, 2024, to the Office of the Attorney General. At a high level, Meta’s proposal involves using search combinations that require either “Social Media Terms,” “Harm Terms,” or “Other Case Issue Terms” to occur “within 50” of one of the following “Youth Terms”:

(teen* OR tween* OR adolescen* OR kid* OR youth* OR minor*
OR young* OR child* OR underage* OR “under-age” OR juvenile*
OR “pre-teen*” OR preteen* OR “U18” OR “under 18” OR “U13”
OR “under 13” OR “gen* z” OR “gen-z” OR “gen* alpha” OR gen-
a* OR scholar* OR School* OR student* OR pupil* OR grade*)

#	Social Media Terms
1	“Youth Terms” w/50 (“social media” OR “social network” OR Meta OR Facebook OR Instagram OR “Insta” OR Youtube OR Snapchat OR Snap OR Bytedance OR TikTok OR Twitter OR Tweet OR Roblox OR Discord OR Twitch OR Netflix OR Reddit OR Pinterest OR Tumblr OR telegram OR signal OR viber OR threema OR wechat OR kik OR textplus OR wickr OR troop OR YikYak OR “Yik Yak” OR finsta OR FB OR IG OR YT OR TT OR DM* OR “direct message”)
	Harm Terms
2	“Youth Terms” w/50 (wellness OR wellbeing OR well-being OR confidence OR self-confidence OR “mental health” OR “TMH” OR “ACE*” OR “adverse childhood experience” OR anxi* OR anti-anxi* OR depress* OR antidepress* OR sad* OR reclus* OR stress OR “attention deficit” OR “ADHD” OR posttraumatic OR “bi-polar” OR “bi polar” OR bipolar OR “BPD” OR insomnia OR scar* OR afraid OR angry OR mad OR worr* OR lonel* OR alone OR therap* OR counsel* OR treatment*)
3	“Youth Terms” w/50 (“pro-ana” OR “BMI” OR overweight OR fat OR obes* OR diet* OR anorexi* OR bulimi* OR orthorexi* OR appetite OR dysmorph* OR binge OR purge OR suicid* OR “self harm” OR “self-harm” OR selfharm OR unalive OR cutting*)
4	“Youth Terms” w/50 (bully* OR bullie* OR cyberbull* OR harass* OR sextort* OR transphob* OR homophob* OR racis* OR sexis* OR groom* OR hookup* OR solicit* OR pedophil* OR predator* OR sex* OR extort OR exploit*)
5	“Youth Terms” w/50 (violen* OR abus* OR assault* OR fight* OR altercation OR misbehav* OR misconduct* OR shoot* OR shot OR threat* OR gun* OR pistol OR rifle OR firearm OR rape* OR murder* OR traff* OR hate*)
6	“Youth Terms” w/50 (addic* OR hook* OR dopamine OR rabbithol* OR spiral OR “social reward” OR “social approval” OR “screen time” OR screentime staytime OR

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	timespent OR “time spent” OR “engagement” OR impression* OR “monthly active users” OR “daily active users” OR “monthly active people” OR “daily active people” OR “weekly active users” OR “mandatory break” OR “limiting tool” OR “habit loop” OR “operant conditioning” OR “impulse control”)
7	“Youth Terms” w/50 (eat* w/3 (problem* OR issue* OR trouble* OR difficult* OR disorder* OR disab* OR agitat* OR behav* OR insufficient OR depriv*))
8	“Youth Terms” w/50 (sleep* w/3 (problem* OR issue* OR trouble* OR difficult* OR disorder* OR disab* OR agitat* OR behav* OR insufficient OR depriv*))
9	“Youth Terms” w/50 (negative w/3 (appearance OR experience OR affect* OR effect*))
10	“Youth Terms” w/50 (compar* w/5 (appearance OR social OR other* OR negative))
11	“Youth Terms” w/50 (body w/3 (accept* OR dissatisfaction OR positiv* OR image OR dysmorph*))
12	“Youth Terms” w/50 (self w/3 (esteem OR harm OR control OR injur* OR mutilat* OR regulat*))
13	“Youth Terms” w/50 (Covid* OR coronavirus OR pandemic OR lockdown OR “lock* down” OR quarantine OR “social* distanc*”)
14	“Youth Terms” w/50 (svap* OR “ecig” OR “e-cig” OR cig* OR smok* OR nicotine OR tobacco OR pot OR cannabis OR marijuana OR heroin OR crack OR cocaine OR fent* OR opio* OR opia* OR meth OR methamphetamine OR oxy OR oxycontin OR painkiller* OR narcotic* OR drug* OR alcohol* OR Juul)
	Other Case Issue Terms
15	“Youth Terms” w/50 (polic* OR practice* OR presentation OR assembl* OR initiative* OR interven* OR prevent* OR limit* OR control* OR legislation OR advocacy OR lobby* OR legislat* OR law OR suspend* OR revok* OR fine* OR sanction* OR cancel* OR abandon* OR ban OR banned OR banning OR concern* OR problematic OR investigat* OR criminal OR charges OR conviction* OR arrest* OR “law enforcement” OR deceptive OR decei* OR fraud* OR defraud* OR cheat* OR lie* OR misrepresent* OR mislead* OR schem* OR exploit* OR trick* OR conceal* OR hide OR omit* OR downplay* OR suppress* OR “cover up” OR “Consumer Protection Act” OR “consumer protection”)

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Custodians: Meta proposes that the above search terms be run on each agency’s custodial documents (including email and other custodial data sources), and relevant non-custodial data sources, that cover the entire period from January 1, 2012, to April 1, 2024, which encompasses the same time period from which Plaintiffs seek discovery, and have plead as the “Relevant Time[]” in Plaintiffs’ Complaint. *See* ECF No. 969; MDL Compl. ¶ 19 (alleging a “Relevant Time[]” that starts “no later than 2012”).

Meta proposes that the search terms set forth above should be run against at least the custodians listed below. Custodians designated with an asterisk (*) have been affirmatively proposed and agreed to by the relevant state agency during the course of the Parties’ negotiations. To the extent that the custodians below do not cover the relevant time period or all relevant topics for each agency, the State and/or agency should propose additional custodians to Meta, and Meta reserves the right to select additional custodians.

Agency	Custodian	Title
Dept. of Health	Tia Kafka*	Communications Director, Healthcare Access
Dept. of Health	Beth Dokken*	Division Director, Family and Community Health
Dept. of Health	Darcy McGuigan*	Division Director, Finance and Operations
Dept. of Health	Susan Sporrer*	Director of Policy and Special Projects, Licensure and Accreditation
Dept. of Health	Mark Gildemaster*	Director, Office of Health Statistics
Dept. of Health	Jason Simon-Ressler*	Child and Adolescent Health Coordinator
Dept. of Health	Kevin Hayes*	Unknown
Dept. of Social Services	Pamela Bennett*	Director of Child Protection Services
Dept. of Social Services	Melanie Boetel*	Director of the Division of Behavioral Health
Dept. of Social Services	Jeremy Johnson*	Administrator of the Human Services Center

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Agency	Custodian	Title
Dept. of Social Services	Jason Simmons*	Chief Financial Officer
Dept. of Social Services	Emily Richardt*	Director of Communications
Board of Regents	Nathan Lukkes*	Executive Director, South Dakota Board of Regents
Board of Regents	Kami VanSickle*	Superintendent, South Dakota Services for the Deaf
Board of Regents	Jessica Vogel*	Superintendent, South Dakota School for the Blind and Visually Impaired
Board of Regents	Shuree Mortenson *	Communications Director, Board Office
Board of Regents	Becca Walters*	Senior Director of Marketing & Communications, Black Hills State University
Board of Regents	Andrew Sogn*	Chief Marketing Officer, Dakota State University
Board of Regents	Chad Hatzenbuler*	Director of Communications, Northern State University
Board of Regents	Jade Herman*	Interim Director of Marketing & Communications, South Dakota School of Mines & Technology
Board of Regents	Michael Lockrem*	Director of University Marketing, Image, & Communications, South Dakota State University
Board of Regents	Bailey Quanbeck*	Interim Senior Director of Marketing & University Relations, University of South Dakota
Dept. of Education	Mary Stadick Smith*	Deputy Secretary
Dept. of Education	Laura Scheibe*	Director of College, Career and Student Success

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Agency	Custodian	Title
Dept. of Education	Ben Jones*	Director of State History
Dept. of Education	Shannon Malone*	Director of Learning and Instruction
Dept. of Education	Nancy Van Der Weide	Public Information Specialist
Governor's Office	Mackenzie Decker*	Director of Policy
Governor's Office	Laura Ringling*	Senior Policy Advisor
Governor's Office	Ryan Brunner*	Senior Policy Advisor and Director of Legislative Relations
Governor's Office	Megan Goltz*	Policy Advisor
Governor's Office	Sarah Hitchcock*	Policy Advisor
Governor's Office	Ian Fury*	Director of Communications and Unborn Child Advocate
Governor's Office	Jayden Bies*	Policy Analyst
Bureau of Finance & Management	Jim Terwilliger*	Commissioner
Bureau of Finance & Management	Steven Kohler*	Deputy Commissioner
Bureau of Finance & Management	Morgan Gruebele*	Chief Budget Analyst
Bureau of Finance & Management	Derek Johnson*	State Economist
Bureau of Finance & Management	Colin Keeler*	Financial Systems Director
Bureau of Finance & Management	Brandy Miesner*	Principal Budget Analyst
Bureau of Finance & Management	Duncan Koch*	Budget Analyst

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Agency	Custodian	Title
Bureau of Finance & Management	Yolanda Sung*	Budget Analyst
Bureau of Finance & Management	Blaire Tritle*	Blaire Analyst
Governor's Office of Economic Development	Joe Fiala	Commissioner
Governor's Office of Economic Development	Jesse Fonkert	Deputy Commissioner
Governor's Office of Economic Development	Adam Molseed	Partner Relations Director
Governor's Office of Economic Development	Missy Lock	Finance Officer
Governor's Office of Economic Development	Jack Valentine	Finance Director
Governor's Office of Economic Development	Ann Gesick-Johnson	Business Analytics Director
Governor's Office of Economic Development	Lexie Warejcka	Marketing Director

UPDATED, 11/25/24

META SEARCH TERMS

- “mental health” and “minor”
- “mental health” and “youth”
- “mental health” and “kid”
- “mental health” and “teen”
- “wellbeing” and “minor”
- “wellbeing” and “youth”
- “wellbeing” and “kid”
- “wellbeing” and “teen”
- “mental health” and “wellbeing”
- “Facebook” and “minor”
- “Facebook” and “youth”
- “Facebook” and “kid”
- “Facebook” and “teen”
- “Instagram” and “minor”
- “Instagram” and “youth”
- “Instagram” and “kid”
- “Instagram” and “teen”
- “Meta” and “minor”
- “Meta” and “youth”
- “Meta” and “kid”
- “Meta” and “teen”
- “social media” and “minor”
- “social media” and “youth”
- “social media” and “kid”
- “social media” and “teen”

ADDITIONS

- Wellbeing or well-being
- Self harm or self-harm or selfharm
- Bully or bullie
- Cyberbully
- Social approval
- Screen time
- Exploit

CUSTODIANS

ATTORNEY GENERALS' OFFICE

Jody Gillaspie- Director of Consumer Protection

Dawn Kramme- AG Records Manager

Lucas Neely- IT for Consumer Protection

BOARD OF REGENTS

Nathan Lukkes – Executive Director, South Dakota Board of Regents

Kami VanSickle – Superintendent, South Dakota Services for the Deaf

Jessica Vogel – Superintendent, South Dakota School for the Blind and Visually Impaired

Shuree Mortenson – Communications Director, Board Office

Becca Walters – Senior Director of Marketing & Communications, Black Hills State University

Andrew Sogn – Chief Marketing Officer, Dakota State University

Chad Hatzenbuler – Director of Communications, Northern State University

Jade Herman – Interim Director of Marketing & Communications, South Dakota School of Mines & Technology

Michael Lockrem – Director of University Marketing, Image, & Communications, South Dakota State University

Bailey Quanbeck – Interim Senior Director of Marketing & University Relations, University of South Dakota

DEPARTMENT OF HEALTH

Beth Dokken

Susan Sporrer

Mark Gildemaster

Jason Simon-Ressler

Tia Kafka

Kiley Hump

DEPARTMENT OF SOCIAL SERVICES

Pamela Bennett- Director of Child Protection Services

Melanie Boetel- Director of the Division of Behavioral Health

Jeremy Johnson- Administrator of the Human Services Center

Jason Simmons- Chief Financial Officer

Emily Richardt- Director of Communications

DEPARTMENT OF EDUCATION

Mary Stadick Smith- Deputy Secretary
Laura Scheibe- Director of College, Career and Student Success
Ben Jones- Director of State History
Shannon Malone- Director of Learning and Instruction

OFFICE OF THE GOVERNOR

Mackenzie Decker
Laura Ringling
Ryan Brunner
Megan Goltz
Sarah Hitchcock
Ian Fury
Jayden Bies

BUREAU OF FINANCE AND MANAGEMENT

Jim Terwilliger
Steven Kohler
Morgan Gruebele
Derek Johnson
Colin Keeler
Brandy Miesner
Duncan Koch
Yolanda Sung
Blair Tritle

GOVERNORS OFFICE OF ECONOMIC DEVELOPMENT

Has stated many times they will not have responsive documents.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

People of the State of California, et al.

v.

Meta Platforms, Inc.; Instagram, LLC; Meta Payments, Inc.; Meta Platforms Technologies, LLC,

MDL No. 3047

Case Nos. 4:23-cv-05448-YGR
4:23-cv-05885-YGR
4:24-cv-00805-YGR

Office of the Attorney General, State of Florida,
Department of Legal Affairs

v.

Meta Platforms, Inc., Instagram, LLC., Meta Payments, Inc.

**DECLARATION OF ZACH MERRILL
IN SUPPORT OF POSITION
STATEMENT**

Judge: Hon. Yvonne Gonzalez Rogers

Magistrate Judge: Hon. Peter H. Kang

State of Montana, *ex rel.* Austin Knudsen,
Attorney General

v.

Meta Platforms, Inc., Instagram, LLC, Facebook Holdings, LLC, Facebook Operations, LLC, Meta Payments, Inc., Meta Platforms Technologies, LLC, Siculus, Inc.

IN RE: SOCIAL MEDIA ADOLESCENT
ADDICTION/PERSONAL INJURY
PRODUCTS LIABILITY LITIGATION THIS
DOCUMENT RELATES TO:

4:23-cv-05448, 4:23-cv-05885; 4:24-cv-00805.

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

IN RE: SOCIAL MEDIA ADOLESCENT
ADDICTION/PERSONAL INJURY
PRODUCTS LIABILITY LITIGATION

THIS FILING RELATES TO:

ALL ACTIONS

4:22-md-03047-YGR (PHK)

Affidavit of Zach Merrill

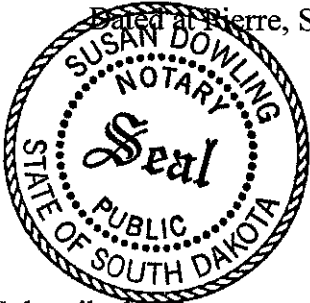
Zach Merrill, being first duly sworn on oath, states and declares the following:

1. I am a Technology Engineer/Project Manager for the South Dakota Attorney General's Office ("AG") and provide the following regarding our efforts to comply with discovery in this matter. I am an IT administrator of the AG's Laserfiche document records management system.
2. The AG is a small office with limited staff resources. We have two IT personnel assigned to assist the AG with this matter. We continue to manage our normal IT duties and responsibilities in addition to this matter assigned to our team.
3. The IT team has not previously responded to a discovery request of this magnitude to my knowledge.
4. AG staff has been performing document and full-text hit searches based on the discovery requirements through the AG's Laserfiche document records management system.
5. By standard best practice, AG staff members are set up to access the Laserfiche document records management system through the Laserfiche Web Client. Running a full-text search on the entire AG Laserfiche Repository through the Laserfiche Web Client can take several minutes and sometimes crashes the web page based on the search criteria.

6. To shorten time needed to perform the required searches, the IT team has set up some AG staff members with the Laserfiche Desktop Client, which has resulted in improved search performance.
7. Laserfiche is not intended for high-volume, rapid data exports. The system must process each document individually, which includes converting formats, and ensures data integrity.
8. The Laserfiche document records management system incorporates robust security measures to protect sensitive information. During export, access permissions, audit trails, and encryption protocols are enforced, which extend the time required for large-scale data exports.
9. Exporting large datasets can impose significant demands on network bandwidth and storage devices. File sizes, especially with multimedia or scanned documents, can amplify the time required to complete data exports.
10. To safeguard the repository's data integrity, Laserfiche employs checks and controls during the export process. These include permissions validation, file indexing and error-checking, all of which add time to the process.
11. The duration of this process can also be influenced by the destination system's capacity to receive and process the exported data.
12. The AG Office is currently in mid-conversion of data into the Laserfiche document records management system. Not all data in the AG Office is housed and stored into Laserfiche.
13. The AG office has imported many case files into the Laserfiche document records management system as one large complete document which is not separated out based on document type. AG Staff will need to manually review each document returned in the searches to sort and retrieve individual documents pertaining to the discovery request.
14. Due to a previous migration of data in the AG Laserfiche document records management system, the creation date search constraint is not accurate based on the discovery requirements. There are many other documents and full-text hits being returned outside of the

creation date parameters due to the previous data migration into the Laserfiche document records management system.

Dated at Pierre, South Dakota, this 5th day of December, 2024.



Zachary Merrill
Zach Merrill, Affiant

Subscribed and sworn to before me this 5th day of December 2024.

Susan Dowling
Notary Public - South Dakota
My Commission Expires: 2-1-2029
(SEAL)